REMARKS

Replacement drawings are enclosed herewith which formalize the drawings filed with the application. No other changes were made and approval by the Examiner is respectfully requested.

The abstract has been amended as required by the Examiner to use a narrative form.

Claim 1 was rejected under 35 USC 103(a) as being unpatentable over Stokes US 6,345,128 in view of Beretta US 5,901,243. Claims 2-4 were rejected under 35 USC 103(a) as being unpatentable over Stokes US 6,345,128 in view of Shalit 5,345,315 and Beretta US 5,901,243. Claim 5 was rejected under 35 USC 103(a) as being unpatentable over Stokes (US 6,345,128) in view of Shalit (US 5,345,315), Beretta (US 5,901,243) and Gilman (US 5,913,014).

The present invention will be briefly reviewed with respect to claim 1 which is believed to be representative of the claims in this application. In the present invention, a plurality of exposure and tone scale corrective transforms are provided. A user desirable of producing the best possible printed image for exposure and tone scale from a digital capture device applies the plurality of transforms to a captured digital image and produces a plurality of printed images corresponding to the transformed digital image. From this plurality of printed images the most satisfying printed image to the user which corresponds to a particular transform is selected. Using this particular transform, prints of the captured digital image can be made which are satisfying to the user.

Turning now to Stokes, the purpose is to select a mean reproduction curve which is a compromise between a number of tone reproduction curves for different test images. An image is produced using this mean reproduction curve for the different test images. Psychophysical data based upon an observer responses is used in the process of selecting a mean reproduction curve. This is a very different arrangement than the present invention which does not adjust tone reproduction curves but selectes the best tone reproduction curve for each individual image captured by the digital capture device. In Stokes, one size fits all and a single reproduction curve is used for the images of interest. This arrangement is complicated and time consuming. There is no suggestion of the present invention in Stokes. Stokes does not provide a

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Amendments to the Drawings

Replacement sheets for Figs. 1-4 are enclosed which formalize the drawings which were submitted with the application. No other changes have been made.

plurality of exposure correcting transforms. Stokes does not select the best transform for each particular image from the plurality of transforms. Stokes derives a compromise reproduction curve for images to be printed.

Beretta discloses a scanner which in a line scan provides an updated or cummulative histogram based on a histogram for a scanned line of the scanned image. The histogram is used for estimating the reflectance of the medium which is being scanned and this estimate is used in providing correction to the tone scale curve for the scanner. Nowhere is there any suggestion of the present invention in Beretta. The present invention does not provide an estimate, is not scanning images, concerned with reflectence of the medium on which the images are form, but rather selects the best transform for each image from a plurality of transforms. Applicants fail to see how Beretta could even be combined with Stokes and if they were combined fails to see what the output would be. Clearly, there is no suggestion or motivation for the present invention in either of these references.

Shalit uses a xerographic hard copy image for forming a grayscale test image. This hardcopy test image is used to produce a hardcopy image using patches of material. The density differences in the grayscale on the hardcopy test image are then used by a computer to adjust a tone scale reproduction curve. So there is only a single correction here and not a plurality of transforms. There is no user intervention and this process is complicated and appears to be limited to video images produced on a CRT monitor. Here again Applicants can find no motivation for the combination of Shalit or any of the other references taken singly or in any combination.

Gilman et al relates to a method for constructing a single transform for a predetermined display or printer. It does not have any suggestion of the present invention which uses a plurality of transforms for each digitally captured image and produces prints corresponding to such transforms. Nor does it have any suggestions that a user should select the transform that will produce the most satisfying image from a plurality of transforms based upon the prints corresponding to each transform. Here again Applicants fail to see how Gilman can be combined with the other cited references to disclose, suggest or motivate one to the present invention.